



XA-9524C
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Takahiro KASUGA et al.

Appln. No.: 10/626,670

Group Art Unit: 2818

Filed: July 25, 2003

Examiner: L. Tran

For: A SEMICONDUCTOR DEVICE AND A METHOD OF MANUFACTURING
THE SAME

TERMINAL DISCLAIMER

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The owners, Renesas Technology Corp., and Hitachi Hokkai Semiconductor, Ltd., of the entire interest in the instant application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 and § 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second U.S. Application No. 10/325,908, filed on December 23, 2002, of any patent on the pending second application. The owners

hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to § 156 and § 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees that may be required

by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

The undersigned is an attorney of record.

August 3, 2004
Date

By: Mitchell W. Shapiro
Mitchell W. Shapiro
Reg. No. 31,568

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 3, 2004.

Mitchell W. Shapiro
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